

AUGUST 6, 2012
SPECIAL COUNCIL MEETING
PARMA CITY HALL COUNCIL CHAMBERS
6:50 P.M.

The Special Council Meeting was called to order by President of Council Sean P. Brennan presiding.

COUNCIL MEMBERS PRESENT:	DEBORAH LIME LARRY NAPOLI SCOTT M. TUMA MARK CASSELBERRY BRIAN DAY ALLAN DIVIS MARY GALINAS
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COUNCIL MEMBERS EXCUSED:	BRIAN BROCHETTI ROY J. JECH
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Mr. Ramser – Mr. Chairman, the Roll of Council has been called, and I find a quorum of Council Members present.

The following Officials and Department heads were also present: Mayor Tim DeGeeter, Law Director Timothy Dobeck, Service Director Brian Higgins, Communications and Community Relations Director Jeannie Roberts and Clerk of Council Kenneth A. Ramser.

NOTICE OF SPECIAL MEETING OF COUNCIL

**The State of Ohio)
Cuyahoga County) ss: Police Chief Robert Miller; Greetings
City of Parma)**

WHEREAS, it appears that the public business of this City requires that the Council meet in Special Session to consider such business as may come before it, and,
WHEREAS, I have convened and do hereby convene said City Council to meet in Special Session on the 6th day of August, 2012, at 5:50 P.M., Eastern Daylight Savings time, at the Council Chamber in said City to consider such matters as may come before it as fully and completely as might be done in regular session of said Council:

Special Council Meeting to read the following Variances into the Record and refer to the Planning Committee:

Variance request for Mr. Carl Reed, 4013 Pershing Avenue
Variance Request for Melissa Lopez of Petsmart, 6870 Ridge Road

You are therefore commanded to summon: Mayor Timothy DeGeeter, Auditor Dennis M. Kish, Law Director Timothy Dobeck, Treasurer Thomas Mastroianni, Council President Sean P. Brennan, Mark Casselberry, Brian Day, Alan Divis, Mary Galinas, Roy J. Jech, Deborah Lime, Lawrence Napoli, Brian Brochetti, Scott M. Tuma, and Kenneth A. Ramser, Clerk of said Council, to meet in Special Session as aforesaid for the purposes aforesaid.

Hereof fail not and have you then and there this Writ, with your return thereon in what manner you have executed the same.

In testimony whereof, I have hereunto set my hand and caused the corporate seal of said City to be hereunto affixed, this 3rd Day of August, 2012.

/s/ Sean P. Brennan
City of Parma PRESIDENT OF COUNCIL SEAN P. BRENNAN

CERTIFICATE OF SERVICE
NOTICE OF SPECIAL MEETING OF COUNCIL

I, Robert Miller, Chief of Police of the City of Parma, Ohio, do hereby certify that on August 3, 2012, I received the notices of a Special Meeting of Council, a copy of which is attached hereto, and that in accordance with the instructions given to me, I have served each person named in the notice with the notice either personally or by leaving a copy of such notice and the last of the persons named on the notices was served at his usual place of residence with the notice on August 3, 2012 at 1752 hrs., which date and time is more than twelve hours prior to the time of the Special Meeting.

Signed Chie Robert Miller
Chief of Police,
City of Parma, Ohio.

DISPENSE WITH THE REGULAR ORDER OF BUSINESS

Motion made by Councilman Day seconded by Councilman Divis to dispense with the regular order of business and to waive the Rules of Council, at this time, in order to hold this special Council Meeting. Motion carried.

LEGISLATIVE COMMENT

No one wished to comment.

VARIANCES:

The Parma Board of Zoning Appeals met on Tuesday, July 10, 2012, and PROPOSED TO VARY, subject to the provisions of amended Ordinance 1127 .13 (confirmation or rejection by Council within forty days of the receipt of this notice) FOR THE APPLICANT Mr. Carl Reed, 4013 Pershing Ave, 44134 for property at 5701 State Rd. PPN is 444-24-003

After discussion Mr. Mastrobuono made the following motion:

"I make a motion to recommend to Council to GRANT to Mr. Carl Reed, 4013 Pershing Ave, 44134 has requested an "Use" variance of the City of Parma Codified Ordinances of Section 1170.03 – PLANNING & ZONING CODE – SCHEDULE OF PERMITTED BUILDINGS AND USES. The proposal is to run "cyber" store selling new and used merchandise at 5701 State Road that is located in Retail Business District, which prohibits junk dealers, pawnbrokers and secondhand dealers. Buildings and land shall be used, and buildings shall be designed, erected, altered, moved or maintained in whole or in part only for uses set forth in schedules and regulations. The variance would result in allowing for business use not permitted in Retail Business District. The PPN is 444-24-003. The essential characteristics of the neighborhood would not be altered, the spirit and intent of the Zoning Board requirement would be observed and substantial justice would be done by granting the variance.

Mr. Yurkiw seconded the motion. Mr. Crossman, Mr. Ziefle and Mr. O'Connor voted no. Mr. Yurkiw and Mr. Mastrobuono voted yes. Variance denied.

Mr. Brennan – Said Variance will be referred to the Planning Committee.

The Parma Board of Zoning Appeals met on Tuesday, July 10, 2012, and PROPOSED TO VARY, subject to the provisions of amended Ordinance 1127 .13 (confirmation or rejection by Council within forty days of the receipt of this notice) FOR THE APPLICANT Melissa Lopez of Petsmart, 6870 Ridge Rd. PPN is 455-02-001

After discussion Mr. Ziefle made the following motion:

"I make a motion to recommend to Council to GRANT to Melissa Lopez of PetSmart Inc., 19601 North 27 Avenue, Phoenix, AZ 85027 has requested an "Use" variance of the City of Parma Codified Ordinances of Section 1170.03 – PLANNING AND ZONING CODE – SCHEDULE OF PERMITTED BUILDINGS AND USES. The proposal is to add adoption center which would include overnight boarding in Retail Business area which prohibits animal boarding including kennels at 6870 Ridge Rd. Buildings and land shall be used, and building shall be designed, erected, altered, moved or maintained in whole or in part only for uses set forth in schedules and regulations. This variance would result in allowing for business use not permitted in Retail Business District. The PPN is 455-02-001. By granting this variance the characteristic of the neighborhood would not be substantially altered, by granting this variance the spirit and intent of the Zoning Board requirements would be observed.

Mr. Yurkiw seconded the motion. Mr. Crossman, Mr. Ziefle, Mr. Yurkiw, Mr. Mastrobuono and Mr. O'Connor voted yes.

Mr. Brennan – Said Variance will be referred to the Planning Committee.

REPORT ON EXCUSED MEMBERS

Motion made by Councilman Day seconded by Councilwoman Galinas to excuse Council Members Brian Brochetti and Roy J. Jech from the special Council Meeting. Motion carried.

ADJOURNMENT

Motion made by Councilman Day seconded by Councilwoman Galinas to adjourn the special Council Meeting. Motion carried.

CERTIFICATION

I, Kenneth A. Ramser, Clerk of Council for the City of Parma, Ohio, do hereby certify this to be a true and correct copy of the Minutes from the special Council Meeting held on Monday, August 6, 2012.

KENNETH A. RAMSER
CLERK OF COUNCIL

SEAN P. BRENNAN
PRESIDENT OF COUNCIL

Meeting adjourned at 6:00 P.M.

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(Minutes completed on August 10, 2012)